

State of Rhode Island and Providence Plantations

Public Utilities Commission

Minutes of Open Meeting Held on March 6, 2020

An Open Meeting of the Public Utilities Commission was held on Friday, March 6, 2020 at 10:00 A.M. in Hearing Room A, 89 Jefferson Boulevard, Warwick, Rhode Island to discuss, deliberate, and/or vote on the following dockets.

Present: Chairperson Margaret Curran, Commissioner Abigail Anthony, Cynthia Wilson-Frias, Alan Nault, Todd Bianco and Luly Massaro. Commissioner Marion Gold and Staff Margaret Hogan and John Harrington were not present.

I. Chairperson Curran called the Open Meeting to order at 10:12 A.M. A quorum was present.

II. **Docket No. 4981 – Episcopal Diocese of Rhode Island (Diocese)** – This docket is related to the Diocese’s October 11, 2019 Petition for Declaratory Judgment pursuant R.I. Gen. Laws § 42-35-8(c) and PUC Rule 1.10(c). The Diocese seeks and order regarding whether the Narragansett Electric Company d/b/a National Grid may, pursuant to its distribution system interconnection tariff in effect at the time of the Diocese's application for interconnection (Tariff), subject the Diocese's proposed renewable energy project that is less than 5 MW in generating capacity to a study of transmission system impacts for the purpose of determining whether the Diocese project should be further studied and possibly required to contribute toward the cost of transmission system upgrades. The Petitioner sought eight declarations. Motions to the requested declarations are as follows:

(1) Chairperson Curran moved that the PUC decline to declare that transmission system impact study costs may be assessed to interconnecting distributed generation customers under R.I. Gen. Laws § 39-26.3-4 and 18 CFR § 292.306, and instead declare that neither R.I. Gen. Laws §39-26.3-4 nor C.F.R. § 292.306 prohibit the assessment of transmission system impact study costs to interconnecting distributed generation customers. Commissioner Anthony seconded the motion and the motion was unanimously passed. **Vote 2-0.**

(2) Chairperson Curran moved that the PUC decline to declare that transmission system impact studies may not delay the issuance of an interconnection impact study which must issue within ninety days, without excuse, under R.I. Gen. Laws §39-26.3-3. Commissioner Anthony seconded the motion and the motion was unanimously passed. **Vote 2-0.**

(3) and (4) Chairperson Curran moved that the PUC decline to declare that costs of transmission system upgrades are solely the subject of federal jurisdiction and may not be imposed under Narragansett's Standards for Connecting Distributed Generation. And, decline to declare that Narragansett may not impose the cost of any required upgrades to New England Power Company's transmission system under Narragansett's Standards for Connecting Distributed Generation per R.I. Gen. Laws §

39-26.3-4.1(a). And instead declare that regardless of whether transmission system modification costs are subject to federal jurisdiction, the cost of transmission system modifications incurred by Narragansett, caused by an interconnecting distributed generation customer, may be allocated to interconnecting distributed generation customers through inclusion in Narragansett's Standards for Connecting Distributed Generation. And that R.I. Gen. Laws § 39-26.3-4.1(a) does not prohibit Narragansett from passing through the cost of any required upgrades to New England Power Company's transmission system nor does it preclude inclusion of this cost allocation in Narragansett's Standards for Connecting Distributed Generation. Commissioner Anthony seconded the motion and the motion was unanimously passed. **Vote 2-0.**

(5) Chairperson Curran moved that the PUC decline to rule that Narragansett must apply the Standards for Connecting Distributed Generation in effect at the time of an interconnection application and the tariff in effect when Petitioner applied for interconnection did not authorize transmission system impact studies or the assessment of costs for transmission system upgrades to respond to impacts. And instead, that the PUC declare that regardless of which version of the Standards for Connecting Distributed Generation is properly applied to the Petitioner at any point in time since the Petitioner's application, the result would have been that Petitioner is obligated to pay the study costs and Petitioner is obligated to pay any affected system modification costs resulting from the affected system operator study that are found to be caused by Petitioner's proposed interconnection. Commissioner Anthony seconded the motion and the motion was unanimously passed. **Vote 2-0.**

(6) Chairperson Curran moved to decline that if the PUC had jurisdiction to authorize New England Power Company to impose the costs of transmission system upgrades, on interconnecting customers under the Standards for Connecting Distributed Generation, neither ISO-NE tariff I.3.9 nor ISO-NE OP5-1 nor any other ISO Operating Procedure authorize Narragansett or New England Power Company to impose transmission system upgrade costs on local distributed generation projects through the Standards for Connecting Distributed Generation. Commissioner Anthony seconded the motion and the motion was unanimously passed. **Vote 2-0.**

(7) Chairperson Curran moved to decline to rule that neither ISO-NE Tariff I.3.9 nor ISO OP5-1 authorize Narragansett or New England Power Company to require transmission studies of interconnecting distributed generation customers proposing less than 5 MW of capacity unless and until ISO-NE first finds potential for significant impact to the transmission system and requires a Proposed Plan Application within sixty days of Narragansett's filing of Generator Notification Forms. Commissioner Anthony seconded the motion and the motion was unanimously passed. **Vote 2-0.**

(8) Chairperson Curran moved to decline to declare that Narragansett may not delay the issuance of an interconnection services agreement or delay the statutory timeline for interconnection due to its own decision to impose transmission studies on customers proposing to interconnect less than 5 MW of generating capacity so that it can then, ultimately, assess unauthorized costs of any required transmission upgrades needed to address those costs on those customers. Commissioner Anthony

seconded the motion and the motion was unanimously passed. **Vote 2-0.**

- III. **Docket No. 4983 - The Narragansett Electric Company d/b/a National Grid and Rhode Island Distributed Generation Board (DG Board)** – This docket is related to the PUC’s review of proposals submitted by National Grid and the DG Board for the 2020 Renewable Energy Growth Program (RE Growth) pursuant to R.I. Gen. Laws § 39-26.6-1 et seq. The PUC deliberated and made the following motions:

Commissioner Anthony moved that the PUC approve the Company’s proposal for crediting for A-60 customers enrolled in Shared Solar and Community Remote Distributed Generation programs. Chairperson Curran seconded the motion and the motion unanimously passed. **Vote 2-0.** PUC maintained that it would continue to monitor how the enrollment and crediting mechanism works because developers will have to enroll more A-60 customers. Also, prior to next year’s plan, to review whether there are any adverse impact and whether the A-60 customers are being enrolled in these programs.

Commissioner Anthony moved that the net metering value in the RE Growth tariff shall be calculated in accordance with the statutory renewable net metering credit value set forth in R.I.G.L § 39-26.4-2.19. Chairperson Curran seconded the motion and the motion unanimously passed. **Vote 2-0.**

Commissioner Anthony moved that National Grid filed a compliance tariff to incorporate this clarification of the statutory renewable net metering credit and that the PUC schedule a technical session to make sure we understand the mechanics of how it would work. Chairperson Curran seconded the motion and the motion unanimously passed. **Vote 2-0.**

Commissioner Anthony noted that there continues to be a question as to whether customers can receive credit value that is higher than the RE Growth ceiling price when they select Option 2, which is the combination of bill credit and checks. This has not been addressed. The PUC agreed to address and explore the legal basis for the definition of what is a ceiling price and will address this before next year's filing is received. Chairperson Curran concurred. **Vote 2-0.**

- IV. **Docket No. 5001 – Zoll Medical Corporation (Company)** – This docket is related to the Company’s application for eligibility certification of the Bio-Detek PV Array generation unit, a 0.164 MW AC (0.176 MW DC) solar facility located in Pawtucket, Rhode Island, as a New Renewable Energy Resource. Ruling of this docket was postponed. Further examination was needed.

- V. The Open Meeting adjourned at 10:48 A.M. A video of the Open Meeting discussion can be accessed at <http://www.ustream.tv/channel/WqQyXw296dg>